

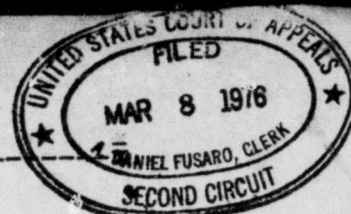
***United States Court of Appeals
for the Second Circuit***



**APPELLANT'S
REPLY BRIEF**

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

MAR 8 1976



MABEL DYSON BURKE

APPELLANT

-against-

SUPREME COURT, CRIMINAL, CIVIL COURT, SOCIAL SECURITY ADMINISTRATION, DEPARTMENT OF CORRECTIONAL SERVICES, POLICE DEPARTMENT, DISTRICT ATTORNEY'S OFFICE, HOUSING DEVELOPMENT ADMINISTRATION, ATTORNEY GENERAL'S OFFICE, MAURICE NADJARI, PAUL J. REGAN, JOHN J. WALSH, JAWN SANDIFER, JAMES MORRIS, MURRAY J. DIAMOND, MICHAEL CODD, MICHAEL GOLDSCHMID, DAVID LEWIS, RICHARD KUH, EARDELL RASHFORD, SHYLEUR BARRACK, EDWARD THOMPSON, JAMES CARDWELL, JOSEPH KELLY, WALLACE RICE, WILLIAM CASHEL, SANDRA PAGE, MARVIN PENSTEIN, ROBERT OSSO, ALBERT D'ANTONI, ZURICH INSURANCE COMPANY, NATIONAL BEN FRANKLIN INSURANCE COMPANY, ST. LUKE'S HOSPITAL CENTER, COLUMBIA-PRESBYTERIAN HOSPITAL, DR. HAROLD BRANDELEONE, DR. IRVING ETKIND, DR. PETER GODSICK, ROBERT CHRISTMAS, SYDENHAM HOSPITAL, UNITED STATES POST OFFICE, WILLIAM BOLGER, CRIMINAL COURT, PART 1 & 2-SUMMONS DEPT., ROBERT MITCHELL.

75-6141

"Reply to
"BRIEF"

TO: LOUIS J.
LEFKOWITZ
ATTORNEY
GENERAL OF
THE STATE
OF NEW YORK

APPELLEES

FACTS

THE ENCLOSED LETTER FROM THE CHAIRMAN, BOARD OF PAROLE, MR. PAUL J. REGAN IS SELF EXPLANATORY. MY SON WAS IN PRISON FOR BEING PICKED UP OFF STREET, HE HAD COMMITTED NO CRIMES, IN FACT FOUR TIMES AND HE HAD NO MATERIAL IN PRISON TO HELP HIMSELF, SO HE ASKED ME TO HELP HIM, PLUS HE CANNOT COPE UNDER STRESS. WHEN I WROTE TO THE SUPREME COURT JUDGE (FITZ) THAT WAS TO HEAR HEARING ON VIOLATION OF HIS CONSTITUTIONAL RIGHTS BY HOLDING HIM IN PRISON UNTIL HIS TRIALS WERE OVER THE ENCLOSED LETTER IS WHY JUDGE FITZ MADE DECISION TO HAVE HIM RELEASED AND HE WAS IN PRISON FOR SIX MONTHS JUNE, 1974 to DECEMBER 1974. TO SHOW YOU HOW THIS CASE IS NO LONGER CIVIL BUT CONSPIRACY WHICH IS A SERIOUS OFFENSE, MY SON WAS BEING HELD ON A \$250.00 BAIL, AND AS SOON AS JUDGE FITZ MADE HIS DECISION, THE DISTRICT ATTORNEY, MR. BROOMER INCREASED HIS BAIL TO \$1,500.00, WHY, PLUS MY SON WENT BEFORE THE PAROLE BOARD IN FEB. 1976 AND HIS PRISON TERM HAS BEEN EXTENDED FOUR MONTHS FOR PAROLE VIOLATION, WHAT ABOUT THE SIX MONTHS THE PAROLE BOARD VIOLATED HIS RIGHTS? SECOND HAS ASKED ME TO HELP HIM EVERY SINCE HE WAS ARRESTED. ANOTHER FACT ATTORNEY LEFKOWITZ SEEM TO BE IN ERROR OF IS AND I QUOTE, CONFINED, ALLEGEDLY WITH CAUSE, IN A MENTAL INSTITUTION." UNQUOTE, MY STATEMENT WAS THAT, I WAS NOT TOLD THE REASON MY SON SPENT SEVEN YEARS IN AND OUT OF AN INSTITUTION. THIRD, I HURT MYSELF IN AUGUST OF 1970, I REQUESTED A HEARING AND MADE CHARGES BY REGISTERED MAIL TO THE WORKMEN'S COMPENSATION BOARD, PLUS MADE SAME CHARGES AT HEARING WHICH A DECISION SHOULD HAVE BEEN MADE ON AND/OR A HEARING GRANTED ME BY MY CONSTITUTIONAL RIGHTS WHICH IS NOW SIX YEARS AND I DO NOT CALL THAT PENDING BUT IF I DO NOT AGREE WITH DECISION I CAN TAKE MY CASE IN THE SUPREME COURT, APPELLANT DIVISION IN ALBANY, NEW YORK WHICH MY CONSPIRATORS

doctor & hospital

DO NOT WANT ME TO DO BECAUSE I CAN PROVE CHARGES, SO MR. LEFKOWITZ SEEM TO MAKE STATEMENTS THAT ARE NOT TRUE OR PERHAPS BECAUSE I AM A LAYMAN, I AM TOODUMB TO UNDERSTAND. MAY I MAKE ANOTHER STATEMENT SIR, MY CHARGES ARE CONSPIRACY, PERJURY, SUPPRESS OF MEDICAL AND CRIMINAL INFORMATION BY JUDGES, LAWYERS, ATTORNEY GENERAL'S OFFICE, DISTRICT ATTORNEY'S OFFICE, POLICE DEPARTMENT, VIOLATING PROCEDURES OF ALL THE COURTS SO MENTIONED PLUS WHEN A DOCTOR TELL YOU UNLESS YOUR BLOOD PRESSURE GO DOWN, YOU WILL BE DEAD IN LESS THAN A YEAR, IF I AM NOT DEAD, LOOK AT THE DAMAGE IT IS DOING TO VITAL ORGANS. I DO NOT KNOW LEGAL TERMS BUT I DO KNOW THAT IN THESE UNITED STATES OF AMERICA I AM NOT BEING GIVEN AN EQUAL OPPORTUNITY TO PRESENT MYSELF AND EQUAL JUSTICE IS NOT BEING ADMINISTERED IN THE COURTS WHICH IS A VIOLATION OF ALL OUR RIGHTS. I READ IN THE NEWSPAPERS OF PEOPLE BRING^{ing} CASES IN THE FEDERAL COURTS, LIKE STOCKBROKERS AND FILM INDUSTRIES, THEY ARE NOT PART OF THE FEDERAL GOVERNMENT BUT I HAVE WORKED SINCE I WAS 16 YEARS OLD AND HAVE KNOWN PEOPLE TO ~~XXX~~ WRITE TO YOU, OF COURSE THEY WERE WHITE AND MOSTLY JEWISH AND YOU ANSWERED THEIR LETTERS OR REFERRED THEM TO PEOPLE THAT COULD HELP THEM, NOT ONLY DID YOU NOT ANSWER MY LETTER, BUT ONE OF YOUR AIDES STATED MY PROBLEMS DID NOT COME UNDER YOUR JURISDICTION, SO MAYBE NOT ONLY BEINGBLACK BUT POOR AND MY CONSPIRATORS SO POWERFUL, I JUST DO NOT HAVE A CHANCE AND THIS IS THE REASON I AM IN A FEDERAL COURT BECAUSE MY SON WAS SHOT IN BACK AND SHOT AT AND CONSPIRACY, PERJURY, VIOLATION OF MY CONSTITUTIONAL RIGHTS, SUPPRESS OF ANY KIND OF INFORMATION, PREMEDITATED ATTEMPT AT MURDER ON BOTH OF US, OBSTRUCTION OF JUSTICE INVASION OF PRIVACY, SLANDER, YOU NAME IT AND THAT IS WHAT IS HAPPENNING TO MY SON AND I^{and} SHOULD COME UP IN A FEDERAL COURT ANDIT IS NO LONGER A CIVIL COMPLAINT AND LAWYERS WILL NOT TOUCH MY CASE I HAVE TRIED SO SIR YOUR WORDS MOST OF THEM I DO NOT UNDERSTAND, BUT I DO NOT BELIEVE THE UNITED STATES COURT OF APPEALS WILL IGNORE MY CHARGES BECAUSE HIGH BLOOD PRESSURE IS SLOWLY KILLING ME AND AS LONG AS I STAY IN A STATE OF ANXIETY, IT WILL NOT GO DOWN WHICH IS A FACT.

Mabel Wyson Burke

SWORN BEFORE ME THIS

4th DAY OF MARCH 1976.

NOTARY PUBLIC

Christina C. Gregg

CHRISTINA C. GREGG
Notary Public, State of New York
No. ~ 6661000
Qualified in Westchester County
Certs. filed with N. Y. Co. Clk. & Reg.
Commission Expires March 30, 1976

Copy To: Attorney Gen. Louis J. Lefkowitz



PETER PREISER
COMMISSIONER

STATE OF NEW YORK
DEPARTMENT OF CORRECTIONAL SERVICES

THE STATE OFFICE BUILDING CAMPUS

ALBANY, N.Y. 12226

September 18, 1974

Mrs. Mabel Burke
226 West 122 Street
New York, New York 10027

RE: REGINALD BURKE
GH-18360; IIS-1314768

Dear Mrs. Burke:

I wish to take this opportunity to acknowledge the receipt and review of your letter, dated September 4, 1974.

Your son was declared delinquent as of May 29, 1974 and is presently being detained, pending the disposition of the charges of robbery and criminal possession of a dangerous weapon (docket #N429202).

Upon the disposition of those charges, a review will be given to the information on hand a determination will be made as to the appropriate action to be taken regarding your son's violation of Parole. As you indicate, in your letter, the next hearing regarding the above mentioned charges will be on September 24, 1974.

Sincerely,

Paul J. Regan
Chairman, Board of Parole